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IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 5TH DAY OF JUNE 1998

BEFORE

THE HON'BLE MR.JUSTICE CHANDRASHEKARAIHAH

WRIT PETITION NO.32865/1995

BETWEEN:

M/s. MOTHERCARE INDIA Ltd.,
No.58, Residency Road,
Mothercare House,
Bangalore-25,
rep. by its
Joint Managing Director,
Sri.R.Kanna.

..Petitioner

(By Sri S.N.Murthy for petr)

AND:

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1. The Commissioner,
Bangalore Mahanagara Palike
Hudson circle, J.C.Road
Bangalore-2.

2. The Asst. Executive Engineer
Shanthinagar sub-divn.,
Bangalore Mahanagara Palika,
Mayohall, M.G.Road,
Bangalore-1.

...Respondents.

(By Sri Ashok Haranahalli for resps)

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W.P filed u/a 226 & 227 of the constitution of India with an affidavit praying to: direct that the respondent have no manner of right or authority to demolish or interfere with the possession and enjoyment by the petr., that the office located in the basement floor of the bldg. called as "MALNAD MANOR" No.58, Residency Road, Bangalore-25 and etc.,

W.P coming on for final disposal this day, the court made the following:

ORDER

The petitioner in this writ petition has sought for a direction not to demolish the building belonging to him apprehending that the Corporation is taking steps to demolish the building belonging to the petitioner.

Under the scheme of the Act the Corporation has no authority to demolish the building without passing an appropriate order under the Act. In the case on hand no order has been passed by the Corporation. Therefore, there is no reason for the

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petitioner to apprehend such demolition.

With this observation, this writ petition
is disposed of.

Sd/-Judge.

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r.by: P. S. S.
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c.by: L.



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Assistant Registrar
High Court of Karnataka
Bangalore-560 001

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